



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference CM2202/JB		<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/26911	International filing date (day/month/year) 29/09/2000	Priority date (day/month/year) 01/10/1999	
International Patent Classification (IPC) or national classification and IPC C09B62/022			
Applicant THE PROCTER & GAMBLE COMPANY et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"><li>I <input checked="" type="checkbox"/> Basis of the report</li><li>II <input type="checkbox"/> Priority</li><li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li><li>IV <input type="checkbox"/> Lack of unity of invention</li><li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li><li>VI <input type="checkbox"/> Certain documents cited</li><li>VII <input type="checkbox"/> Certain defects in the international application</li><li>VIII <input checked="" type="checkbox"/> Certain observations on the international application</li></ul>			
Date of submission of the demand 05/02/2001		Date of completion of this report 05.07.2001	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized officer Ketterer, M Telephone No. +31 70 340 3645 	

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/26911

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-14 as originally filed

**Claims, No.:**

1-17 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/26911

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	1-17 yes
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-17 yes
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-17 yes
	No:	Claims	

2. Citations and explanations  
see separate sheet

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
see separate sheet

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/26911

Reference is made to the following documents:

D1: US -A- 4 098 784  
D2: US -A- 4 150 021  
D3: DE -A- 196 45 601  
D4: WO -A- 97/19188  
D5: US -A- 4 092 478  
D6: GB -A- 1 414 420  
D7: US -A- 4 139 345

V. Claims 1-17 seem to fulfill the requirements of Article 33(1) PCT.

V.1. The documents D1 and D2 disclose dyestuffs with phosphonic acid groups attached thereon with reactive effect. They are attached to a phenylsulphonyl resp. to a phenyl ring. In a reactive dyeing process they are covalently linked to a fiber material by condensing reaction of the phosphonic group with OH, NH, SH groups of the fiber. In D1 and D2 no hint can be found to attach the phosphonic groups to a SO<sub>2</sub>CH<sub>2</sub>CH<sub>2</sub> or a vinylsulphonyl group. Therefore claims 1-17 are new and also inventive vis à vis D1 and D2.

V.2. The documents D3 and D4 disclose fluorescent chromophors with boronic acid endgroups attached to a phenyl ring. These endgroups are capable to be linked to suitable functions of biomolecules, e.g. sugars resp. glucose. This labeling makes detection of glucose in vivo possible.

SO<sub>2</sub>CH<sub>2</sub>CH<sub>2</sub> groups are not mentioned in D3 or D4 to be used as linking bridges for the borat group, nor is there given a hint in this direction. Therefore, also regarding the different problems underlying D3 and D4, claims 1-17 of the current application seem to be novel and inventive in face of D3 and D4.

VIII. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D7 is not mentioned in the description, nor are these documents identified therein.

# PATENT COOPERATION TREATY



# PCT



## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM2202/JB</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 26911</b>	International filing date (day/month/year) <b>29/09/2000</b>	(Earliest) Priority Date (day/month/year) <b>01/10/1999</b>
Applicant  <b>THE PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

### 1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. ---

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No

PC/US 00/26911

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C09B62/022 D06P3/00 D06P1/38 C09B62/503 C09B62/443

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C09B D06P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 098 784 A (SWIDLER RONALD ET AL) 4 July 1978 (1978-07-04) the whole document ---	1,5,6,13
A	US 4 150 021 A (SWIDLER RONALD ET AL) 17 April 1979 (1979-04-17) the whole document ---	1,5-12
A	US 4 092 478 A (PLANT DAVID WILLIAM ET AL) 30 May 1978 (1978-05-30)  column 1, line 1 -column 2, line 64; examples ---	1,3,4, 6-9,12, 14-16
A	DE 196 45 601 A (GLUESENKAMP KARL HEINZ DR) 7 May 1998 (1998-05-07) abstract; figures 1A,1B ---	1,5
-/--		



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

17 January 2001

Date of mailing of the international search report

26/01/2001

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## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/26911

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 97 19188 A (ANTWERP WILLIAM PETER VAN ;MINIMED INC (US); MASTROTOTARO JOHN JOS) 29 May 1997 (1997-05-29) page 12, line 21 -page 15, line 6 ---	1
A	GB 1 414 420 A (CIBA GEIGY AG) 19 November 1975 (1975-11-19)  page 10, line 27 - line 57; claims; examples ---	1,3,4, 6-9,12, 14-16
A	US 4 139 345 A (CRABTREE ALLEN ET AL) 13 February 1979 (1979-02-13)  examples -----	1,3,4, 6-9,12, 14-16

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PC7/US 00/26911

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 4098784	A	04-07-1978	AU 7797075 A BE 836496 A BR 7500828 A BR 7500846 A CA 1090054 A CA 1111844 A CH 616292 A,B CH 609998 A DE 2505497 A DE 2559540 A FR 2260657 A GB 1497344 A GB 1497345 A IT 1032233 B JP 50157466 A US 4134722 A US 4150020 A	12-08-1976 01-04-1976 02-12-1975 02-12-1975 25-11-1980 03-11-1981 31-03-1980 30-03-1979 14-08-1975 10-02-1977 05-09-1975 05-01-1978 05-01-1978 30-05-1979 19-12-1975 16-01-1979 17-04-1979
US 4150021	A	17-04-1979	NONE	
US 4092478	A	30-05-1978	GB 1502684 A AR 219902 A AU 497288 B AU 1265176 A BR 7602255 A CH 625267 A DD 125539 A DE 2616683 A ES 447017 A ES 451997 A FR 2307852 A HK 60778 A IT 1063092 B NL 7603952 A OA 5303 A TR 19087 A BE 840810 A CS 189760 B ES 451996 A ES 451998 A ZA 7601908 A	01-03-1978 30-09-1980 07-12-1978 03-11-1977 12-10-1976 15-09-1981 27-04-1977 28-10-1976 16-05-1979 01-01-1978 12-11-1976 20-10-1978 11-02-1985 19-10-1976 28-02-1981 01-05-1978 15-10-1976 30-04-1979 01-10-1977 01-10-1977 30-03-1977
DE 19645601	A	07-05-1998	NONE	
WO 9719188	A	29-05-1997	AU 1058297 A CA 2235738 A EP 0862648 A JP 2000500656 T US 6011984 A	11-06-1997 29-05-1997 09-09-1998 25-01-2000 04-01-2000
GB 1414420	A	19-11-1975	CH 606344 A CA 1000692 A DE 2331518 A FR 2202132 A US 4079051 A	31-10-1978 30-11-1976 10-01-1974 03-05-1974 14-03-1978
US 4139345	A	13-02-1979	GB 1497167 A AR 212177 A	05-01-1978 31-05-1978



# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/26911

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 4139345	A	AU 1675776 A	16-02-1978
		BE 845869 A	03-03-1977
		BR 7605830 A	16-08-1977
		DD 127390 A	21-09-1977
		DE 2639573 A	25-08-1977
		ES 451371 A	01-03-1978
		FR 2323801 A	08-04-1977
		HK 46479 A	20-07-1979
		JP 52034079 A	15-03-1977
		NL 7609908 A	11-03-1977
		PH 13311 A	06-03-1980
		TR 19105 A	25-05-1978
		ZA 7604766 A	27-07-1977

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